Laboratories at San Francisco, Calif., alleging shipment on or about January 29, 1940, from the State of California into the State of Ohio of a quantity of Elga Bust Developer that was misbranded.

Analysis showed that the article consisted essentially of invert sugar, small proportions of calcium phosphate, and extracts of plant drugs, and water, colored with a red dye.

It was alleged to be misbranded in that the statements, "Elga Bust Developer. A Specialized normalizing Food designed to supplement nature, feeding systemically the sensitive, delicate, starved cells of immature, sagging or depleted breasts," borne on the bottle label, were false and misleading since they represented that it would develop the bust, that it was a specialized normalizing food designed to supplement nature, that it would feed systemically the sensitive, delicate, starved cells of immature, sagging, or depleted breasts, and that it was strictly a food; whereas it would not be efficacious for such purposes and it was not strictly a food, but was a drug. The article was also alleged to be misbranded under the provisions of the law applicable to food, as reported in F. N. J. No. 2096.

On February 4, 1941, a plea of guilty having been entered, the court placed the defendant on probation for a period of 4 years.

371. Misbranding of Hannon's Rub External Treatment. U. S. v. Hannon Medicines, Inc., and Louis A. Hannon. Pleas of guilty. Fines, $100. (F. D. C. No. 2846. Sample No. 9563–E.)

The labeling of this product bore false and misleading representations regarding its efficacy in the conditions indicated hereinafter. The cartons for both sizes were unnecessarily large. The 1-ounce bottle occupied approximately 32 percent and the 2-ounce bottle approximately 38 percent of the space in the carton.

On April 19, 1941, the United States attorney for the Southern District of Mississippi filed an information against Hannon Medicines, Inc., Brookhaven, Miss., and Louis A. Hannon, alleging shipment on or about April 29, 1940, from the State of Mississippi into the State of Louisiana of a quantity of Hannon's Rub External Treatment which was misbranded.

Analysis showed that the article consisted essentially of camphor, soap, chloroform, water, and alcohol.

The article was alleged to be misbranded in that certain statements in the labeling were false and misleading in that they represented that it was efficacious in the treatment of rheumatism, arthritis, neuritis, croup, coughs, laryngitis, chest colds, paroxysms due to asthma, menstrual colic, sciatica, bursitis, lumbago and backache; that it would relieve severe sprains, headache, neuralgia, or rheumatism; that it was efficacious in the treatment of stiff muscles and joints which accompany rheumatism, lumbago, and neuralgia; whereas it would not be efficacious for such purposes. It was alleged to be misbranded further in that its container, i. e., carton, was so made, formed, or filled as to be misleading.

On May 5, 1941, pleas of guilty having been entered, the court sentenced the corporation and the individual each to pay a fine of $50.

372. Misbranding of Dr. Hunt's Cervical Spine Relaxer. U. S. v. Dr. Albert Thurlow Hunt. Plea of nolo contendere. Fine, $50. (F. D. C. No. 2110. Sample No. 11019–E.)

The labeling of this device bore false and misleading representations regarding its efficacy in the conditions indicated hereinafter.

On October 14, 1940, the United States attorney for the Southern District of California filed an information against Dr. Albert Thurlow Hunt, Los Angeles, Calif., alleging shipment on or about January 3, 1940, from the State of California into the State of Texas of a device known as Dr. Hunt's Cervical Spine Relaxer which was misbranded.

Examination showed that the device consisted of a sling fitting under the chin and around the back of the neck and riveted to a horizontal bar. A block and tackle were used to operate the device. One end of this block and tackle was inserted in the horizontal bar and the bar was to be fastened to a hook over a door or to some overhead point. The block and tackle were manipulated to cause a stretching of the operator's neck.

The device was alleged to be misbranded in that certain statements and designs appearing in the circular were false and misleading in that they represented that it was an effective and competent treatment to prevent the following disorders, or to overcome them if they already existed: Functional disorders of the head, throat and neck, headaches, insomnia, hay fever, nasal